

(4) Co-chairing with the Director, Defense Research and Engineering, the Armed Services Biomedical Research Evaluation and Management Committee, which facilitates consideration of DoD biomedical research.

(5) Performing such other functions as the USD(P&R) and the Secretary of Defense may prescribe.

(b) The ASD(HA) may not direct a change in the structure of the chain of command within a Military Department with respect to medical personnel and may not direct a change in the structure of the chain of command with respect to medical personnel assigned to that command.

§ 367.4 Relationships.

(a) In the performance of assigned responsibilities and functions, the ASD(HA) shall serve under the authority, direction, and control of the USD(P&R) and shall:

(1) Report directly to the USD(P&R).

(2) Exercise authority, direction, and control over:

(i) The Director, Office of Civilian Health and Medical Program of the Uniformed Services.

(ii) The Director, Defense Medical Programs Activity.

(iii) The Director, Armed Forces Institute of Pathology.

(iv) The President, Uniformed Services University of the Health Sciences (USUHS), pursuant to the authority vested in the Secretary of Defense by 10 U.S.C. chapter 104, except that the authority to appoint the President of the USUHS is reserved to the Secretary of Defense.

(v) Such other subordinate officials as may be assigned.

(3) Consult, as appropriate, with the Comptroller of the Department of Defense (C, DoD) and the Director, Program Analysis and Evaluation, to ensure that medical planning, programming, and budgeting activities are integrated with the DoD PPBS. The C, DoD, shall allocate and reallocate the funds in the Defense Health Program account and the medical facility military construction account among the DoD Components in accordance with ASD(HA) instructions, as coordinated with the USD(P&R), and applicable law.

(4) Obtain through the Chairman of the Joint Chiefs of Staff, submissions of the operational and other needs of the Commanders of the Unified Combatant Commands, and obtain submissions from the Secretaries of the Military Departments of their proposed elements of the medical unified program and budget, and integrate those submissions as appropriate.

(5) Coordinate and exchange information with other OSD officials and the Heads of DoD Components having collateral or related functions.

(6) Use existing facilities and services of the Department of Defense and other Federal and non-Federal Agencies, whenever practicable, to achieve maximum efficiency and economy.

(b) Other OSD officials and the Heads of the DoD Components shall coordinate with the ASD(HA) on all matters related to the responsibilities and functions in § 367.3.

§ 367.5 Authorities.

The ASD(HA) is hereby delegated authority to:

(a) Issue DoD Instructions, DoD publications, and one-time directive-type memoranda, consistent with DoD 5025.1-M¹, that implement policy approved by the Secretary of Defense in assigned fields of responsibility. Instructions to the Military Departments shall be issued through the Secretaries of those Departments. Instructions to Unified Combatant Commands shall be communicated through the Chairman of the Joint Chiefs of Staff.

(b) Obtain reports, information, advice, and assistance, consistent with DoD Directive 8910.1² as necessary to carry out assigned functions.

(c) Communicate directly with the Heads of the DoD Components. Communications to the Commanders of the Unified Combatant Commands shall be coordinated through the Chairman of the Joint Chiefs of Staff.

(d) Make determinations on the uniform implementation of laws on separation from the Military Departments

¹Copies may be obtained, at cost, from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

²See footnote 1 to § 367.5(a).

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due to physical disability as prescribed in DoD Directive 1332.18³.

(e) Develop, issue, and maintain regulations, with the coordination of the Military Departments, as necessary and appropriate to fulfill the Secretary of Defense's responsibility to administer 10 U.S.C. chapter 55.

(f) Establish arrangements for DoD participation in nondefense governmental programs for which the ASD(HA) has been assigned primary cognizance.

(g) Communicate with other Government officials, representatives of the legislative branch, members of the public, and representatives of foreign governments, as appropriate, in carrying out assigned functions.

PART 371—DEFENSE PRISONER OF WAR/MISSING IN ACTION OFFICE (DPMO)

Sec.

371.1 Purpose.

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AUTHORITY: 10 U.S.C. 113 and 191.

SOURCE: 58 FR 48308, Sept. 15, 1993, unless otherwise noted.

§ 371.1 Purpose.

Under the authority vested in the Secretary of Defense by 10 U.S.C. 113 and 191, this part establishes the DPMO within the Department of Defense, with the mission, organization, responsibilities, functions, relationships, and authorities prescribed herein.

§ 371.2 Applicability.

This part applies to the Office of the Secretary of Defense (OSD); the Military Departments; the Chairman of the Joint Chiefs of Staff and the Joint Staff; the Unified and Specified Combatant Commands; the Inspector General of the Department of Defense; the Defense Agencies; and the DoD Field Activities (hereafter referred to collectively as "the DoD Components").

³See footnote 1 to § 367.5(a).

§ 371.3 Mission.

The DPMO provides centralized management of prisoner of war/missing in action (POW/MIA) affairs within the Department of Defense.

§ 371.4 Organization and management.

The DPMO is hereby established as a DoD Field Activity under the authority, direction, and control of the Assistant Secretary of Defense for Regional Security Affairs (ASD(RSA)). The DPMO shall consist of a Director and such subordinate elements as the Director establishes, within the resources authorized by the Secretary of Defense.

§ 371.5 Responsibilities and functions.

(a) The *Director, Defense Prisoner of War/Missing in Action Office* shall:

(1) Organize, direct, and manage the DPMO and all assigned resources.

(2) Advise and assist the Under Secretary of Defense for Policy (USD(P)) and the ASD(RSA) within assigned mission, responsibilities, and functions.

(3) Support the USD(P) and the ASD(RSA) in the execution of their responsibilities to develop, coordinate, and oversee the implementation of POW/MIA policy.

(4) Serve as the DoD focal point for POW/MIA matters.

(5) Provide DoD participation in the conduct of negotiations with officials of foreign governments in efforts to achieve the fullest possible accounting of missing American service members.

(6) Assemble and analyze information on U.S. military and civilian personnel who are, or were, prisoners of war or missing in action.

(7) Maintain data bases on U.S. military and civilian personnel who are, or were, prisoners of war or missing in action.

(8) Declassify DoD documents for disclosure and release in accordance with section 1082 of Public Law 102-190 and Executive Order 12812, 57 FR 32879, 3 CFR, 1992 Comp., p. 311.

(9) Maintain open channels of communication on POW/MIA matters between the Department of Defense and the Congress, POW/MIA families, and